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Agency of Digital Services  
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## MEMORANDUM

**TO:** Agency of Digital Services Employees

**CC:** Tanya Marshall, State Archivist and Director

**FROM:** John Quinn, Secretary, Agency of Digital Services 

**DATE:** February 20, 2019

**SUBJECT:** Agency of Digital Services Records Management Policy and Guidelines

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### ANNOUNCING NEW RECORDS MANAGEMENT POLICY FOR ADS

Pursuant to 3 V.S.A. §218(b), the Agency of Digital Services (ADS) will formerly adopt the attached policy entitled *Records Management Policy and Guidelines Version 1.0* effective March 1, 2019.

All ADS employees, regardless of their assigned division, are expected to become familiar with and follow this policy and associated guidelines.

The Records Officer for ADS is Kristy Pirie. Please direct any questions you may have pertaining to records management, or this policy to her at [Kristy.Pirie@vermont.gov](mailto:Kristy.Pirie@vermont.gov) or (802) 828-4141.





## Agency of Digital Services

Secretary John Quinn III

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### Records Management Policy and Guidelines

Version 1.0; Effective Date: March 1, 2019

#### 1. Purpose

This policy is to ensure that all employees of the Agency of Digital Services (ADS) conform to state and federal laws and regulations regarding the management and disposition of records.

#### 2. Policy Statement

ADS records are public records. A public record is defined by 1 V.S.A. § 317 as “any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business.”

It is ADS’s policy to comply with 1 V.S.A. Chapter 5, Subchapter 3 (often referred to as “Vermont’s Public Records Law”) and to adhere to the records management guidelines and best practices established by the Vermont State Archives and Records Administration (VSARA).

ADS shall manage all written or recorded information, regardless of physical form or characteristics, including electronic or digital records and data, in accordance with record schedules approved by the Vermont State Archivist. This includes all records and information created, received, managed, and/or stored in Microsoft Office 365. ADS shall not destroy any records created or received in the course of business unless destruction has been authorized through a record schedule described in this policy.

#### 3. Applicable Law

- A. 1 V.S.A. §§ 315-320: Access to Public Records, including 1 V.S.A. § 317a: Disposition of Public Records
- B. 3 V.S.A. § 218: Agency/Department Records Management Program
- C. 04 000 CVR 002: Uniform Schedule of Public Record Charges for State Agencies  
Archives and Records Management Handbook issued by VSARA

#### 5. ADS Records Staff

ADS shall assign an employee to be a Records Officer, and an employee of each of its divisions to be a Records Liaison. The Records Officer will oversee ADS’s records management program.

#### 6. Notice of Adoption of General Records Schedules and Definitions

- A. On August 29, 2016, ADS’s predecessor, the Department of Information and Innovation (DII), notified VSARA of its intent to adopt General Records Schedules (GRS). ADS worked with VSARA staff to ensure that its business, legal, and information technology records requirements were satisfied by the GRS and to ensure that ADS staff can effectively follow the GRS.

- B. The following GRS have been adapted for use and adopted by ADS. All ADS employees, whether located in the Secretary’s Office or its divisions—the Division of Shared Services, Enterprise Project Management Office, Security Division, Chief Data Office, Chief Technology Office, Business Office, Agency embedded support staff divisions, and any other ADS divisions not listed —must follow these GRS:

[GRS-1000.1102: Administrative Policy Records](#)

[GRS-1000.1103: Operational/Managerial Records](#)

[GRS-1000.1000: Transitory Records](#)

- C. ADS employees of the Secretary’s Office and all of its divisions must retain all records not covered by these GRS until such time as applicable records schedules can be put in place and the records can be analyzed.
- D. The following definitions have been adopted by ADS and are applicable to GRS adopted by ADS and ADS division internal policies.
- i. Archives: Retain indefinitely. These records are permanent and are eligible for transfer to the State Archives.
  - ii. Calendar Year Ends: Retain until the end of the calendar year.
  - iii. Completed/Closed: Retain until the activity or process supported by the record is completed.
  - iv. Destroy: Destroy by recycling or deleting. If the records are exempt from public access, destroy by shredding.
  - v. Exempt: Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.
  - vi. Expired: Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.
  - vii. Obsolete: Retain until the record is no longer needed administratively and is valueless.
  - viii. Superseded: Retain until the record is superseded, updated, or revised.

## **7. Microsoft Office 365, OneDrive for Business and Skype for Business**

Microsoft Office 365 or Office 365 is a cloud-based service that includes a suite of Microsoft Office applications and products (Word, Excel, PowerPoint, Outlook, SharePoint, OneNote, and more) to support email, document creating and storage, and online collaboration. Microsoft Office 365 provides subscription plans that include access to Microsoft Office, and applications for creating and managing records and for related services, such as video conferencing and electronic mail. As part of a subscription plan, Microsoft Office 365 also provides secure online storage for records and information.

As accounts for the State of Vermont’s Microsoft Office 365 tenant are provided and managed by the Vermont Agency of Digital Services, the Agency retains legal control and control of access of records and information created, received, managed, and/or stored by it in Microsoft Office 365. These records and information are to be managed in accordance with Vermont’s Public Records Act.

OneDrive for Business (OneDrive) is a personal user area intended for use and access by one individual. Skype for Business (Skype) is an instant messaging/audio & video conferencing application for less formal and quick communications. ADS authorizes the use of OneDrive and Skype; however, these applications and user areas shall only be used by ADS staff for records and information that clearly fall under GRS-1000.1000 (Transitory Records).

OneDrive is only to be used for transitory records. This does not mean that transitory records cannot and should not be created and/or managed elsewhere. Drafts and similar transitory records requiring an ADS staff member to share a document for collaboration and editing should not, for example, be managed through the staff member's OneDrive account but instead through SharePoint Online or another recordkeeping system.

For more information about transitory records, see Appendix A [ADS Records Management Guideline for Transitory Records \(GRS-1000.1000\)](#).

## **8. New and Updated Records Schedules**

ADS will update this policy as applicable when VSARA has new and updated records schedules.

## **9. ADS Records Management Guidelines**

- A. These guidelines are intended to ensure the systematic management of records within ADS.
- B. These guidelines include Appendix A.
- C. ADS employees must follow these guidelines unless the ADS division in which they work has developed its own internal guidelines that have been approved by the Records Officer.
- D. ADS employees will not destroy any record that is prohibited from being destroyed by state or federal law.
- E. ADS employees shall not destroy any record that is subject to a litigation hold.
- F. ADS employees must follow best practices and State records management standards to ensure that records are safe from alteration, damage, and theft. These best practices and State records management standards can be found at <https://www.sec.state.vt.us/archives-records/records-management/standards-best-practices.aspx>.
- G. ADS employees are expected to know that each record has a life cycle comprised of three phases, all of which are interrelated: (1) creation or receipt, (2) maintenance and use, and (3) disposition. They are also expected to know that the GRS dictates whether and how long a record is to be retained.

- H. ADS employees must retain all ADS records in the legal custody of ADS until retention requirements established by GRS have been met.
- I. ADS employees must maintain and process electronic records, whether received as electronic or digitized in the records handling process and including electronic mail, in the same manner as hard copy documents and records.
- J. ADS employees who are custodians of records are responsible for weeding out obsolete documents before transferring the file to a subsequent custodian (e.g., permitting administrator to permit writer).
- K. ADS employees who are custodians of records must determine which of three actions to take when a record has reached the end of its retention time in accordance with the GRS. The action that is to be taken is determined by the record type.
  - i. A record that is temporary in value is designated with a disposition action of “destroy.” At the end of the retention period an ADS employee who is a custodian of such a record should destroy the record by deleting, recycling, or shredding. If the record is exempt from public access, the ADS employee should destroy the record by shredding.
  - ii. A record that is designated as “permanent” will always be retained permanently and may be transferred to the Vermont State Archives.
- L. Copies of records made only for the convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through a division guideline. Duplicates or copies of records shall not be retained longer than the original records. See GRS-1000.1000: Transitory Records. Copies of records that are made for specific legal, fiscal, or administrative purposes must be retained using the retention requirement listed in the applicable GRS.

**10. Revision History**

- A. This policy supersedes any ADS policies, guidelines, procedures and practices in existence prior to its effective date that address records retention and management.
- B. The ADS Secretary reviewed and approved this policy on February 20, 2019.
- C. The next review date is February 20, 2021.

Date	Revision #	Modification
2019-02-20	1.0	New policy approved by ADS Secretary on February 20, 2019

## Appendix A

### **ADS Records Management Guideline for Administrative Policy Records (GRS 1000-1102)**

**Administrative Policy Records** relate to the administration of the Agency and the formulation or development of policy. They have the potential to have continuing value if they provide evidence of deliberations, decisions, and actions relating to policy or major administrative issues. Formal agreements, strategic plans, policies, and procedures are examples of Administrative Policy Records.

The Secretary, Deputy Secretary, and Division Directors are usually the creators or recipients of Administrative Policy Records. In limited circumstances, others may create or receive these records.

**The following record types are archival and must be permanently preserved. These records should be transferred to Vermont State Archives after the specified retention period ends.**

#### **Annual and Similar Reports**

These include reports written to summarize activities of the Agency as a whole, one of its divisions, or programs.

Retain for 3 years after the calendar year in which they were created ends and then transfer to Vermont State Archives for permanent preservation.

#### **Formal Agreements**

These are interagency agreements and memoranda of understanding, concerning policies and procedures, and cooperative agreements, and include significant supporting materials, such as meeting minutes and substantive correspondence.

Retain for 3 years after they expire and then transfer to Vermont State Archives for permanent preservation.

#### **Meeting Minutes**

These are minutes of meetings of entities that make policy decisions, and include administrative boards, committees, and other organizations.

Retain for 3 years after the calendar year in which they were created ends and then transfer to Vermont State Archives for permanent preservation.

#### **Plans, Policies, and Procedures**

These are strategic plans or similar planning documents, written statements that outline agency or program guiding principles, and sets of substantive instructions or procedures that govern the administration of the agency or policy development.

Retain for 3 years after they are superseded and then transfer to Vermont State Archives for permanent preservation.

### **Substantive Correspondence and Studies**

These are correspondence and studies that have significant administrative value or that document policy development.

Retain for 3 years after completion and then transfer to Vermont State Archives for permanent preservation.

**A record in the following record types can be destroyed after the retention period has been met, provided that the record is not subject to any specific legal requirements or a legal retention hold.**

### **Agendas**

These include agendas for routine meetings of agency staff.

If the agenda is accurately reflected in the meeting minutes, retain for one year after the calendar year in which it was created and then destroy.

### **Calendars**

These include paper and electronic calendars.

Retain for one year after the end of the calendar year in which it was created and then destroy. See Calendars in ADS Records Management Guidelines OPERATIONAL/MANAGERIAL RECORDS.

### **Legal Notices**

These are official, written statements, notices or announcements that the Agency is required to provide by law.

Retain for one year after the end of the calendar year in which it was issued and then destroy.

### **Press Releases**

These are official agency statements distributed to the press.

Retain for one year after the end of the calendar year in which it was issued and then destroy.

## **ADS Records Management Guideline for Operational/Managerial Records (GRS-1000.1103)**

**Operational/Managerial Records** relate to the internal management or operation of a specific program, process, or function required to be carried out by ADS. They support day-to-day operations and internal workflows and processes.

**In general, provided that the records are not subject to any specific legal requirements or a legal retention hold, the types of operational/managerial records listed below are to be retained 3 years from the date that they expire, become obsolete, are superseded, or the activity to which they pertain is completed. The exception is the record type of calendars that, if not subject to any specific legal requirements or legal retention hold, are to be retained 1 year from the end of the calendar year.**

If you (1) receive or received for reference or informational purposes only a record that is one of the types of operational/managerial records listed below, and (2) know that the individual(s) responsible for the day-to-day operations of a specific program, process, or function are properly managing this record in accordance with the Operational/Managerial Records GRS-1000.1103, your copies are duplicates and considered Transitory Records (Transitory Records GRS-1000.1000).

**Calendars** are schedules of meetings and related events.

Examples are Outlook Calendars and paper calendars. They become obsolete at the end of the calendar year.

Retain for 1 year after the calendar becomes obsolete.

**Informal Agreements** are informal agreements concerning internal and interagency coordination, general management, internal workflows and/or processes. Informal Agreements include significant supporting materials, such as meeting minutes and substantive correspondence.

Examples are minutes of operational meetings detailing agreed upon actions to be taken (this does not include the meeting minutes of an administrative board or organization that makes policy decisions, see ADS Records Management Guideline ADMINISTRATIVE POLICY RECORDS (GRS 1000-1102), or memos informing staff of agreements about future projects. Minutes expire when actions are taken. Memo expires when future project is completed.

Retain for 3 years after the agreement or memo expires.

**Plans and Studies** are planning documents, studies and other evaluations related to day-to-day operations, internal workflows and processes, and include significant supporting materials.

Examples are project plans and inventories. Project plans expire when project is complete. Inventories are superseded when a new inventory is completed.

Retain for 3 years after project has been completed or inventory has been superseded.



**Procedures** are sets of instructions and directives that govern general management or internal workflow and processes and include significant supporting materials.

Examples are a long-range management planning binder and a procedural manual. The binder or manual is superseded after a new or revised binder or manual has been approved.

Retain for 3 years after the binder or manual has been superseded.

**Reports** are internal reports, including statistical reports, that are used to communicate or document general management and internal workflows and processes, and they include significant supporting materials, such as meeting minutes and substantive correspondence.

Examples are statistical reports used at a management meeting to facilitate discussion about managing a program's work, and a presentation prepared by program staff to be used at a management meeting to inform management of the status of a program's work.

Retain for 3 years after the calendar year in which the report or presentation was given.

## **ADS Records Management Guideline for Transitory Records (GRS-1000.1000)**

**Transitory Records** are only needed for a limited period of time in order to complete a routine action or prepare or update a formal or on-going record. They are not subject to any specific legal recordkeeping requirements, explicit or implied, and are administratively obsolete after the specific action or process to which they relate is complete.

**The staff member best able to identify Transitory Records is YOU. If you are about to hand off a project or folder you must first weed out all transitory documents that you may have put in the folder as a reference. This is the most important step in identifying and disposing of transitory records.**

The following types of transitory records can and should be destroyed when no longer needed administratively, provided that the records are not subject to any specific legal requirements or a legal retention hold:

### **Routine Correspondence**

Routine correspondence is “any correspondence, produced or received, that is routine in nature and not subject to any specific legal requirements” and “includes transmittal letters that do not add information to that contained in the transmitted material and correspondence from other agencies that is received for general information purposes only.” GRS-1000.1000.

Retain until no longer needed and then destroy.

### **Drafts**

Preliminary or tentative versions of a document that have no additional value to the drafter or office. This includes drafts that have been superseded by another document.

Retain until no longer needed and then destroy.

### **Notes**

Notes that have been taken to aid in personal memory or for later review. This includes short, informal notes such as phone messages.

Retain until no longer needed and then destroy.

### **Publications and Reference Sources**

Information that is intended primarily for consultation and is for reference or informational purposes only.

Retain until no longer needed and then destroy.

## **OneDrive for Business**

OneDrive is only to be used for transitory records. This does not mean that transitory records cannot and should not be created and/or managed elsewhere. Drafts and similar transitory records requiring an ADS staff member to share a document for collaboration and editing should not, for example, be managed through the staff member's OneDrive account but instead through SharePoint Online or another recordkeeping system

Upon a staff member's termination, all records and information retained in his or her OneDrive for Business account are (1) only transitory in nature and (2) have met their retention requirements in accordance with GRS-1000.1000 and this policy.

Records and information remaining in an employee's OneDrive for Business account are eligible for destruction 30 days after the employee's date of termination and destruction will be carried out by an Agency of Digital Services staff member unless a VSARA-20 Retention or Legal Hold Request form is received and approved. A VSARA-20 form can be found on the VSARA website.

## **Requests**

Requests and responses to forms, publications, records, and other office information that do not require any administrative review before, or further action after, the information is provided.

Retain until no longer needed and then destroy.

## **Supervisory Records**

Supervisory records created and maintained by employees who supervise one or more employees (e.g. draft performance evaluations, copies of final evaluations used for reference purposes, worksheets to track performance, notes and related transitory records) shall be kept in the supervisor's OneDrive for Business account until, at a minimum, an employee's most recent final performance evaluation and related required documentation, as needed is filed with the Department of Human Resources.

Retain until an employee's most recent final performance evaluation and related required documentation is filed with the Department of Human Resources.

## **Worksheets**

Forms, checklists, and similar worksheets used to prepare or update other records or informally track a workflow.

Retain until no longer needed and then destroy.

**Note on E-mail:** Email accounts are where many transitory records reside and most, if not all, of the messages created or received by email are public records. Examples of transitory e-mail records that can and should be destroyed from your inbox or sent mail folders when no longer needed administratively are: (1) inter-office correspondence and notes concerning routine processes and workflows, including simple requests for information; (2) out-of-office or meeting notifications; and (3) updates and other messages received for informational or reference purposes only.